

**DRAFT**

**ENVIRONMENTAL ASSESSMENT**

**CHECKLIST**

**Sage Grouse Translocation**

**Montana to Alberta**

**Timeline Extension**

**(FWP-CEA-WLD-R6-24-001)**

**January 8, 2024**



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## I. Compliance with the Montana Environmental Policy Act

*Before a proposed project may be approved, environmental review must be conducted to identify and consider potential impacts of the proposed project on the human and physical environment affected by the project. The Montana Environmental Policy Act (MEPA) and its implementing rules and regulations require different levels of environmental review, depending on the proposed project, significance of potential impacts, and the review timeline. § 75-1-201, Montana Code Annotated (“MCA”), and the Administrative Rules of Montana (“ARM”) 12.2.430, General Requirements of the Environmental Review Process.*

*FWP must prepare an EA when:*

- *It is considering a “state-proposed project,” which is defined in § 75-1-220(8)(a) as:
  - (i) a project, program, or activity initiated and directly undertaken by a state agency;
  - (ii) ... a project or activity supported through a contract, grant, subsidy, loan, or other form of funding assistance from a state agency, either singly or in combination with one or more other state agencies; or
  - (iii) ... a project or activity authorized by a state agency acting in a land management capacity for a lease, easement, license, or other authorization to act.*
- *It is not clear without preparation of an EA whether the proposed project is a major one significantly affecting the quality of the human environment. ARM 12.2.430(3)(a));*
- *FWP has not otherwise implemented the interdisciplinary analysis and public review purposes listed in ARM 12.2.430(2) (a) and (d) through a similar planning and decision-making process (ARM 12.2.430(3)(b));*
- *Statutory requirements do not allow sufficient time for the FWP to prepare an EIS (ARM 12.2.430(3)(c));*
- *The project is not specifically excluded from MEPA review according to § 75-1-220(8)(b) or ARM 12.2.430(5); or*
- *As an alternative to preparing an EIS, prepare an EA whenever the project is one that might normally require an EIS, but effects which might otherwise be deemed significant appear to be mitigable below the level of significance through design, or enforceable controls or stipulations or both imposed by the agency or other government agencies. For an EA to suffice in this instance, the agency must determine that all the impacts of the proposed project have been accurately identified, that they will be mitigated below the level of significance, and that no significant impact is likely to occur. The agency may not consider compensation for purposes of determining that impacts have been mitigated below the level of significance (ARM 12.2.430(4)).*

*MEPA is procedural; its intent is to ensure that impacts to the environment associated with a proposed project are fully considered and the public is informed of potential impacts resulting from the project.*

## II. Background and Description of Proposed Project

**Name of Project:** Sage Grouse Translocation Extension

Sage-grouse in Alberta, Canada, declined from highs of 1,000–1,500 in the early 1980s to less than 40 in 2011. In 2008, a collaborative project was initiated between the Montana Fish, Wildlife & Parks (FWP) and Alberta Environment and Protected Areas (AEPA) to augment the endangered population of sage-grouse in southeastern Alberta. Between 2011 and 2019, 118 sage-grouse were captured in Montana and translocated to Alberta. These birds were monitored remotely using satellite transmitters, and AEPA believes the Montana birds substantially helped prevent extirpation of sage-grouse in Alberta while recovery efforts and reclamation work have increased. The Alberta population is now estimated at 54 sage-grouse, three years after the last translocation.

AEPA and partners are improving habitat in Alberta to increase suitability for sage-grouse. These activities include reclamation of oil and gas infrastructure, removal of anthropogenic structures to reduce predator habitat, habitat enhancements, and habitat protections.

Because the release sites are within 25 miles of Montana, these translocation efforts may bolster the trans-boundary sage-grouse population Montana shares. Northern Montana's sage-grouse source population has been stable over the past 25-years; with the 2023 lek trend count from the intended source population in South Valley County at 10% below the long-term average. Removing up to 40 grouse for translocation is unlikely to be measurable at the population level.

Previously, the Montana Fish and Wildlife Commission (Commission) approved the translocation of up to 40 sage-grouse in 2011, an additional 40 sage-grouse in both 2015 and 2019, and a translocation of 40 birds in spring 2023, which did not occur due to deep snow and associated inaccessibility of capture and release locations. AEPA is now requesting the translocation of up to 40 sage-grouse during spring 2024, with the option to delay into 2025 or 2026, if required.

The 40 sage grouse to be translocated are part of the action originally evaluated under the 2015 Draft Environmental Assessment (EA) and approved by the associated Decision Notice. That action was planned to be completed by 2020; however, as described previously, it was not completed according to the anticipated schedule.

For the purposes of MEPA, the term Tier or Tiering means preparing an environmental review by focusing specifically on a narrow scope of issues because the broader scope of issues was adequately addressed in previous environmental review document(s) that may be incorporated by reference. This checklist environmental assessment or EA tiers to the 2015 EA and evaluates the impacts of extending the deadline to complete the project to 2026.

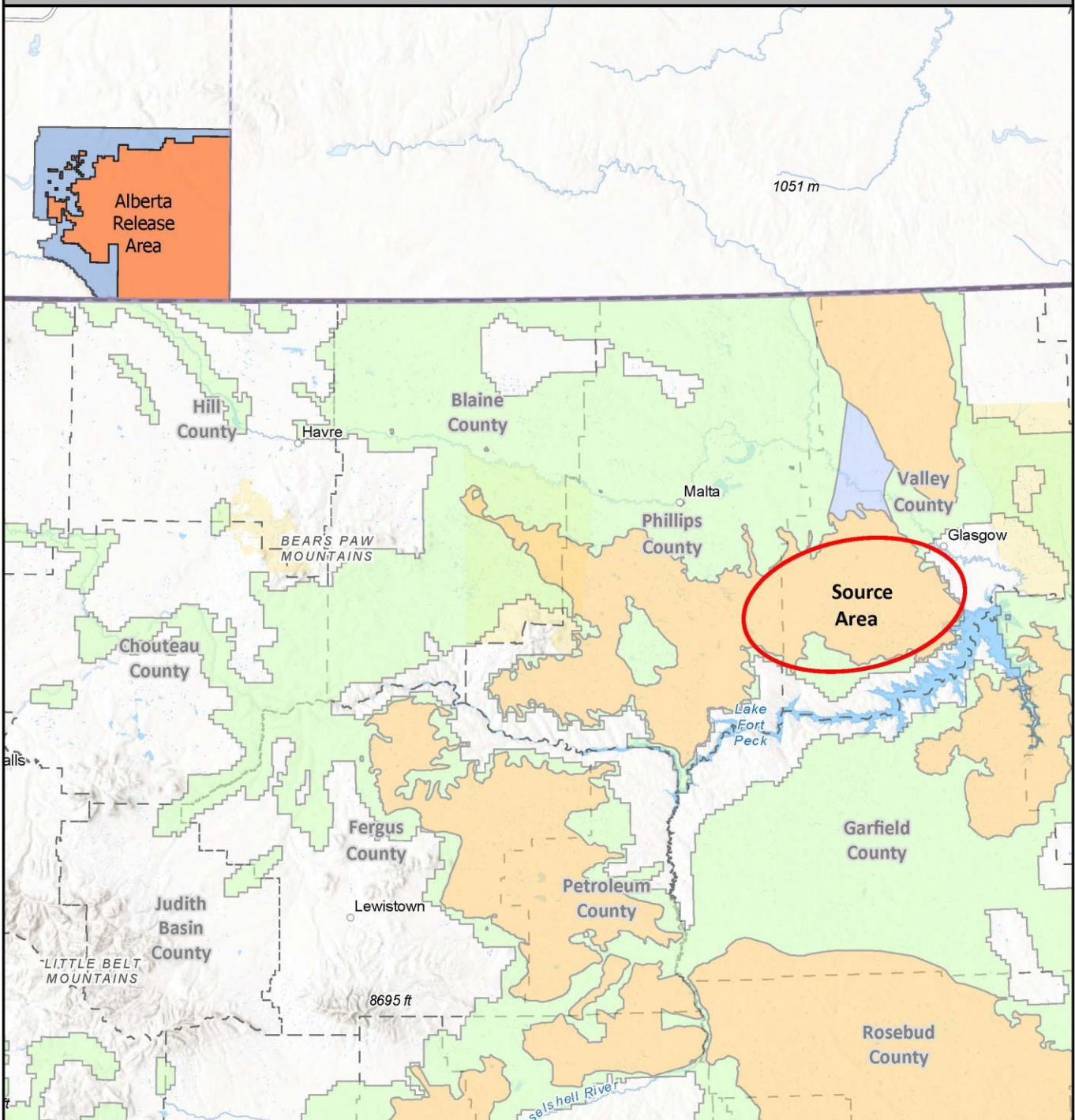
**Affected Area / Location of Proposed Project:**

- Legal Description
  - Latitude/Longitude: Centered around 48.02444, -106.97383
  - Section, Township, and Range: Townships 29N34E, 29N35E, 29N36E, 29N37E, 28N34E, 28N35E, 28N36E, 28N37E, 28N38E, 27N34E, 27N35E, 27N36E, 27N37E, 27N38E, 27N29E, 26N34E, 26N35E, 26N36E, 26N37E, 26N38E, 25N34E, 25N35E, 25N36E, 25N37E, 25N38E, 24N36E
  - Glasgow, Valley County Montana
- Location Map

# Proposed Sage Grouse Translocation

MONTANA FWP

## Overview Map

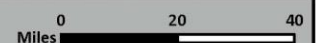


### Legend

- Montana Sage Grouse Connectivity Area
- Montana Sage Grouse Core Area
- Montana Sage Grouse General Habitat
- Alberta Sage Grouse Core Area (Release Area)
- Alberta Sage Grouse Recovery Zone

Source: Montana Fish, Wildlife and Parks, Government of Alberta, ESRI

Map valid for: 2024 & 2025  
 Map Produced by: Region 6  
 Ken Plourde/Wildlife Division  
 January 5, 2024

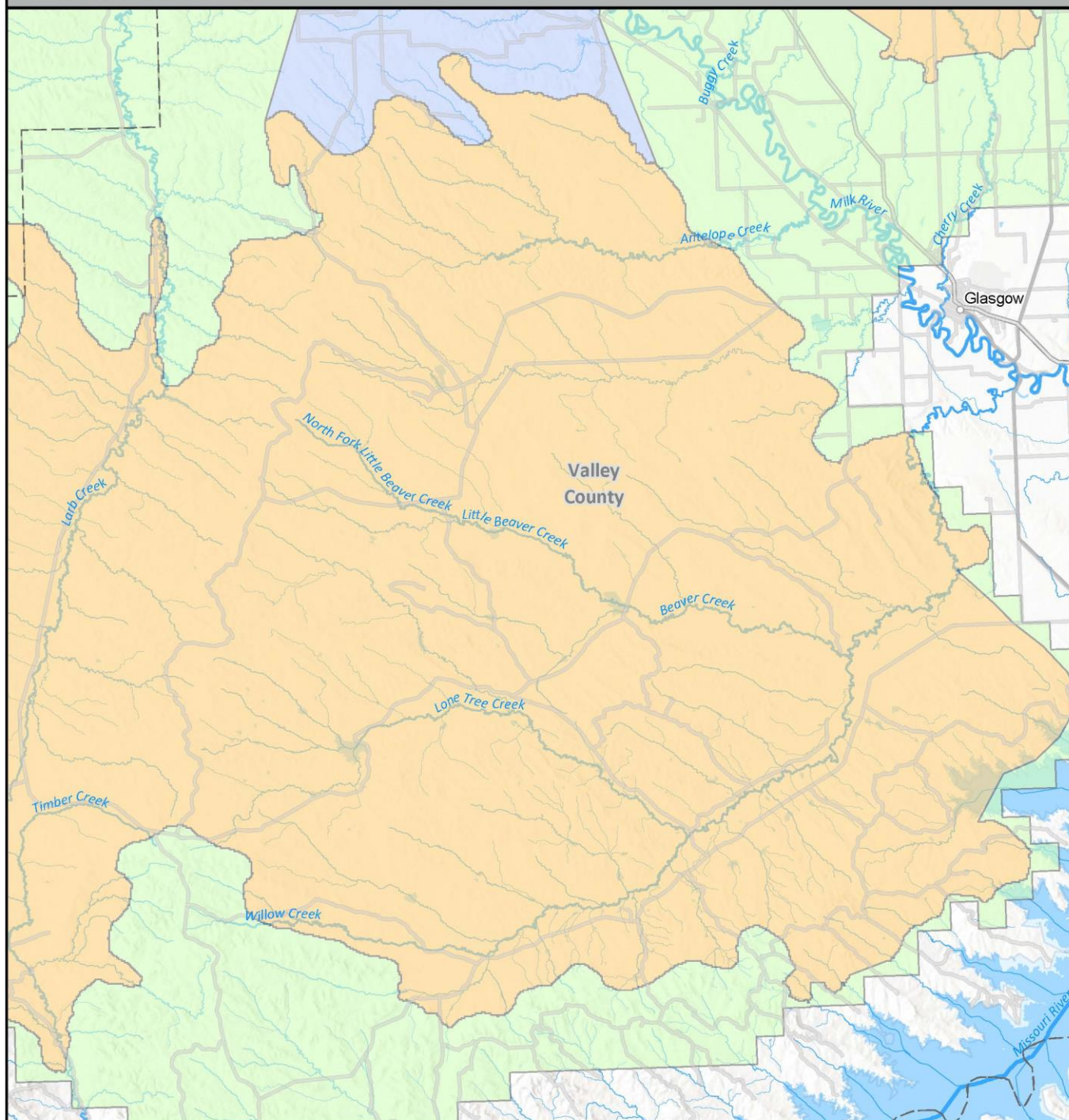




# Proposed Sage Grouse Translocation

MONTANA FWP

South Valley Source Area Map



- Montana Sage Grouse Connectivity Area
- Montana Sage Grouse Core Area
- Montana Sage Grouse General Habitat
- Roads

Map valid for: 2024 & 2025  
Map Produced by: Region 6  
Ken Plourde/Wildlife Division  
January 5, 2024



Source: Montana Fish, Wildlife and Parks, Government of Alberta, ESRI

0 3.25 6.5  
Miles

### III. Purpose and Need

*The EA must include a description of the purpose and need or benefits of the proposed project. ARM 12.2.432(3)(b). Benefits of the proposed project refer to benefits to the resource, public, department, state, and/or other.*

FWP and AEPA propose to translocate up to 40 sage grouse from south Valley County, Montana, to southwest Alberta, Canada. The purpose of the proposed action is to extend the timeline to complete the project from 2023 to 2026. The ongoing translocation of sage grouse intends to bolster Alberta sage grouse populations, which may also benefit the transboundary sage grouse population shared with Montana. The removal of 40 sage grouse was previously evaluated in a 2015 EA with no measurable long-term adverse impacts to the source population in Montana. Current sage grouse population estimates for the affected area dictate the same. This Draft EA specifically evaluates the extended timeframe to complete the project through 2026.

If FWP prepared a cost/benefit analysis before completion of the EA, the EA must contain the cost/benefit analysis or a reference to it. ARM 12.2.432(3)(b).

	Yes*	No
Was a cost/benefit analysis prepared for the proposed project?	<input type="checkbox"/>	<input checked="" type="checkbox"/>

\* If yes, a copy of the cost/benefit analysis prepared for the proposed project is included in Attachment A to this Draft EA

### IV. Other Agency Regulatory Responsibilities

*FWP must list any federal, state, and/or local agencies that have overlapping or additional jurisdiction, or environmental review responsibility for the proposed project, as well as permits, licenses, and other required authorizations. ARM 12.2.432(3)(c).*

*A list of other required local, state, and federal approvals, such as permits, certificates, and/or licenses from affected agencies is included in **Table 1** below. **Table 1** provides a summary of requirements but does not necessarily represent a complete and comprehensive list of all permits, certificates, or approvals needed for the proposed project. Agency decision-making is governed by state and federal laws, including statutes, rules, and regulations, that form the legal basis for the conditions the proposed project must meet to obtain necessary permits, certificates, licenses, or other approvals. Further, these laws set forth the conditions under which each agency could deny the necessary approvals.*

**Table 1: Federal, State, and/or Local Regulatory Responsibilities**

Agency	Type of Authorization (permit, license, stipulation, other)	Purpose
Montana Department of Natural Resources (DNRC)	Letter of Authorization to conduct capture	Authorizes access to trust lands with conditions to minimize resource damage
USDI Bureau of Land Management (BLM)	Letter of Authorization to conduct capture	Authorizes access to BLM lands with conditions to minimize resource damage
USDA Origin of Health Certificate	Certificate	Certifies Health of translocated grouse
Canadian Food Inspection Agency Import Permit and Certificate	Permit and certificate	Certifies Health of translocated grouse and permits their entry into Canada

## V. List of Mitigations, Stipulations

Mitigations, stipulations, and other enforceable controls required by FWP, or another agency, may be relied upon to limit potential impacts associated with a proposed Project. The table below lists and evaluates enforceable conditions FWP may rely on to limit potential impacts associated with the proposed Project. ARM 12.2.432(3)(g).

**Table 2: Listing and Evaluation of Enforceable Mitigations Limiting Impacts**

Are enforceable controls limiting potential impacts of the proposed action? If not, no further evaluation is needed.			Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
If yes, are these controls being relied upon to limit impacts below the level of significance? If yes, list the enforceable control(s) below			Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Enforceable Control	Responsible Agency	Authority (Rule, Permit, Stipulation, Other)	Effect of Enforceable Control on Proposed Project	
Limitation on Sage Grouse take when populations fall lower than 45% below average	Montana FWP	Sage grouse management plan and 2015 Sage Grouse Decision notice	If sage grouse source population falls below 45% average, no translocation will take place	
Reduce soil disturbance	BLM	Letter of authorization	Restricts capture activities when wet conditions result in vehicle ruts two to three inches deep	
Noxious weed prevention	BLM	Letter of authorization	Requires ATVs are washed and free of weeds and weed seeds prior to capture activities	

## VI. Alternatives Considered

In addition to the proposed project, and as required by MEPA, FWP analyzes the "No-Action" alternative in this EA. Under the "No Action" alternative, the proposed project would not occur. Therefore, no additional impacts to the physical environment or human population in the analysis area would occur. The "No Action" alternative forms the baseline from which the potential impacts of the proposed Project can be measured.

An alternative to the proposed action is no action, wherein FWP would not extend the timeline through 2026 for the translocation of up to 40 sage grouse from Montana to Alberta.

	Yes*	No
Were any additional alternatives considered and dismissed?	<input type="checkbox"/>	<input checked="" type="checkbox"/>

\* If yes, a list and description of the other alternatives considered, but not carried forward for detailed review is included below

## VII. Summary of Potential Impacts of the Proposed Project on the Physical Environment and Human Population

The impacts analysis identifies and evaluates **direct**, **secondary**, and **cumulative impacts**.

- **Direct impacts** are those that occur at the same time and place as the action that triggers the effect.
- **Secondary impacts** "are further impacts to the human environment that may be stimulated or induced by or otherwise result from a direct impact of the action." ARM 12.2.429(18).
- **Cumulative impacts** "means the collective impacts on the human environment of the proposed action when



*considered in conjunction with other past and present actions related to the proposed action by location or generic type. Related future actions must also be considered when these actions are under concurrent consideration by any state agency through pre-impact statement studies, separate impact statement evaluation, or permit processing procedures.” ARM 12.2.429(7).*

*Where impacts are expected to occur, the impact analysis estimates the **extent, duration, frequency, and severity** of the impact. The duration of an impact is quantified as follows:*

- **Short-Term:** *impacts that would not last longer than the proposed project.*
- **Long-Term:** *impacts that would remain or occur following the proposed project.*

*The severity of an impact is measured using the following:*

- **No Impact:** *there would be no change from current conditions.*
- **Negligible:** *an adverse or beneficial effect would occur but would be at the lowest levels of detection.*
- **Minor:** *the effect would be noticeable but would be relatively small and would not affect the function or integrity of the resource.*
- **Moderate:** *the effect would be easily identifiable and would change the function or integrity of the resource.*
- **Major:** *the effect would irretrievably alter the resource.*

*Some impacts may require mitigation. As defined in ARM 12.2.429, mitigation means:*

- *Avoiding an impact by not taking a certain action or parts of a project;*
- *Minimizing impacts by limiting the degree or magnitude of a project and its implementation;*
- *Rectifying an impact by repairing, rehabilitating, or restoring the affected environment; or*
- *Reducing or eliminating an impact over time by preservation and maintenance operations during the life of a project or the time period thereafter that an impact continues.*

*A list of any mitigation strategies including, but not limited to, design, enforceable controls or stipulations, or both, as applicable to the proposed project is included in **Section VI** above.*

*FWP must analyze impacts to the physical and human environment for each alternative considered. The proposed project considered the following alternatives:*

- **Alternative 1: No Action. Evaluation and Summary of Potential Impacts on the Physical Environment and Human Population**

Under the “No Action” alternative, the proposed project would not occur. Therefore, no additional impacts to the physical environment or human population in the analysis area would occur. The “No Action” alternative forms the baseline from which the potential impacts of the proposed Project can be measured.

If the no action alternative was chosen, FWP would not extend the timeline to translocate up to 40 sage grouse from Montana to Alberta, which would effectively cease the current translocation project as evaluated in the

2015 EA. The Alberta population would not realize the benefit of up to 40 additional grouse to their breeding population and shared trans-boundary sage grouse population within the next two years. Furthermore, up to 40 sage grouse would not be removed from the source population in northeast Montana, FWP Region 6.

- **Alternative 2: Proposed Project. Evaluation and Summary of Potential Impacts on the Physical Environment and Human Population**

See **Table 3** (Impacts on Physical Environment) and **Table 4** (Impacts on Human Population) below.

**Table 3 - Potential Impacts of Proposed Project on the Physical Environment**

PHYSICAL ENVIRONMENT	Duration of Impact			Severity of Impact					Summary of Potential Direct, Secondary, and Cumulative Impacts and Mitigation Measures
	None	Short-Term	Long-Term	None	Negligible	Minor	Moderate	Major	
Terrestrial, avian, and aquatic life and habitats	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No significant adverse impacts to terrestrial, avian and aquatic life and habitats would be expected because of the proposed project. The Direct removal of up to 40 sage grouse from the source population would remove less than 1 percent of the estimated sage grouse population in south Valley County. During capture activities, other terrestrial and avian life would see short-term and negligible disturbance from additional human activity, but the level of impact would not greatly exceed that of normal human activity in the area and would not persist beyond the capture timeframe. The project intends to benefit sage grouse populations shared with Alberta as well. Therefore, any adverse impacts associated with the capture of grouse would be short-term and negligible, while relocating the sage grouse to Alberta may have long-term and minor beneficial impacts to transboundary sage grouse populations in the affected area.
Water quality, quantity, and distribution	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No significant adverse impacts to water quality, quantity and distribution are anticipated from the proposed project. No water resources would be required to implement the proposed project; therefore, no impacts to water quantity and distribution would be expected. Capture activities would utilize all-terrain vehicles for travel off established roads and trails. Impacts from such activities would not be expected to exceed that of existing human, domestic and wild animal use of the affected area. Furthermore, affected land management agencies would restrict capture activities requiring off-road/trail travel during wet conditions that result in vehicle ruts of 2 inches or more. Therefore, any adverse impact to water quality would be short-term and negligible.

PHYSICAL ENVIRONMENT	Duration of Impact			Severity of Impact					Summary of Potential Direct, Secondary, and Cumulative Impacts and Mitigation Measures
Resource	None	Short-Term	Long-Term	None	Negligible	Minor	Moderate	Major	
Geology	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No significant adverse impacts to the geology of the source area are expected from the proposed project. Except for off-trail ATV use, no ground disturbing activities would occur because of the proposed project and off-trail traffic would not be expected to impact geology in the affected area. Therefore, no impacts to geology would be expected because of the proposed project.
Soil quality, stability, and moisture	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No significant adverse impacts to soil quality, stability, and moisture are expected from the proposed project. Capture activities would utilize all-terrain vehicles for travel off established roads and trails that may leave shallow tracks and compact the soil. Such impacts would not be expected to exceed that of existing human, domestic and wild animal use of the affected area. Furthermore, affected land management agencies would restrict capture activities during wet conditions that result in vehicle ruts 2 inches or more. Therefore, any adverse impact to soil quality would be short-term and negligible.
Vegetation cover, quantity, and quality	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No significant adverse impacts to vegetative cover, quantity and quality are anticipated from the proposed project. Capture activities would utilize all-terrain vehicles for travel off established roads and trails. Vegetation present during the April capture period would be residual from the prior growing season. Further, the impact would not be expected to exceed that of existing human, domestic and wild animal use of the affected area. Furthermore, affected land management agencies would require vehicles be washed and free of weeds and weed seeds prior to implementation of the proposed project. Therefore, any adverse impact to vegetative cover, quantity, and quality would be short-term and negligible.
Aesthetics	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No significant adverse impacts to the aesthetic nature of the affected area are anticipated from the proposed

PHYSICAL ENVIRONMENT		Duration of Impact			Severity of Impact					Summary of Potential Direct, Secondary, and Cumulative Impacts and Mitigation Measures
Resource		None	Short-Term	Long-Term	None	Negligible	Minor	Moderate	Major	
										project. Capture activities would be conducted at night when the affected public would typically not actively use the affected area. A capture base consisting of travel trailers and cargo trailers would be visible to the public but would be located away from heavily used public areas. Therefore, any adverse impact to the aesthetics of the affected area would be short-term and minor.
Air quality		<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No significant adverse impacts to air quality would be expected because of the proposed project. Air quality in the area affected by the proposed project is currently unclassifiable or in compliance with/attainment for the applicable health- and welfare-based national ambient air quality standards (NAAQS). Existing sources of air pollution in the area are limited and generally include fugitive dust associated with high wind events and exposed ground, vehicle travel on unpaved roads (fugitive dust), vehicle exhaust emissions, and various agricultural practices (vehicle exhaust emissions and fugitive dust). No significant point-sources of air pollution exist in the area affected by the proposed project. Fugitive dust emissions resulting from vehicle travel on unpaved roads, trails and off-road/trail exposed ground during capture activities may adversely impact air quality. However, no air quality restrictions exist for the affected area; therefore, the proposed project would not be expected to cause or contribute to a violation of the applicable NAAQS for particulate matter (fugitive dust). Any adverse impacts would be short-term, negligible, consistent with existing impacts, and mitigated by best management practices.
Unique, endangered, fragile, or limited environmental resources		<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No significant adverse impacts to any unique, endangered, fragile, or limited environmental resources would be expected because of the proposed project. While the range of various species of concern overlap with the



PHYSICAL ENVIRONMENT	Duration of Impact			Severity of Impact					Summary of Potential Direct, Secondary, and Cumulative Impacts and Mitigation Measures
	None	Short-Term	Long-Term	None	Negligible	Minor	Moderate	Major	
									capture area, the proposed project would not be expected to significantly impact any wildlife, wildlife habitats and vegetation in the affected area (see <i>Terrestrial, Avian, and Aquatic Life and Habitats and Vegetation Cover, Quantity and Quality</i> above). Therefore, the proposed project would not be expected to impede recovery of any of the listed wildlife or plant species. Further, the proposed project may establish transboundary population conditions to further support recovery of sage grouse in the affected area. Therefore, any expected adverse impacts would be short-term and negligible while any beneficial impacts would be long-term and minor.
Historical and archaeological sites	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No significant adverse impacts to historical and/or archaeological sites would be expected because of the proposed project. Because no ground disturbance would be associated with the proposed project, no adverse impact archeological and historical sites would be expected because of the proposed project.
Demands on environmental resources of land, water, air, and energy	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No significant adverse impacts would be expected because of the proposed project. As identified previously through the analyses of potential impacts to water quality, quantity, and distribution; soil quality, stability, and moisture; vegetation cover, quantity, and quality; and air quality; some impacts to the environmental resources of land, water, and air may occur because of the proposed project. However, many such impacts would be consistent with current and historic impacts and avoided by restricted capture activities during periods of wet soil that result in rutting. Additional fuel would be used during capture and transport of sage grouse, but the level of increase beyond normal and existing wildlife management activities in the affected area would be negligible. Therefore, any impacts would be short-term, negligible and minor (see cited

PHYSICAL ENVIRONMENT	Duration of Impact			Severity of Impact					Summary of Potential Direct, Secondary, and Cumulative Impacts and Mitigation Measures
Resource	None	Short-Term	Long-Term	None	Negligible	Minor	Moderate	Major	
									impacts analyses above). No other impacts to the demands on environmental resources of land, water, air, and energy would be expected because of the proposed project.

**Table 4 - Potential Impacts of Proposed Project on the Human Population**

HUMAN POPULATION	Duration of Impact			Severity of Impact					Summary of Potential Direct, Secondary, and Cumulative Impacts and Mitigation Measures
Resource	None	Short-Term	Long-Term	None	Negligible	Minor	Moderate	Major	
Social structures and mores	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No significant adverse impacts to existing or pre-project social structures and mores would be expected because of the proposed project. Sage grouse are a publicly owned wildlife resource that add cultural, recreational and aesthetic value to the people of Montana, thus supporting existing social structures, customs, and values of the affected human population. The proposed project would translocate less than 1% of the existing sage grouse population from the affected area to Alberta. Further, the proposed project may benefit transboundary sage grouse populations. Therefore, any adverse impacts would be short-term and negligible while any beneficial impacts would be long-term and minor.
Cultural uniqueness and diversity	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No significant adverse impacts would be expected because of the proposed project. The overall intent of the proposed project would be to improve Canadian and transboundary sage grouse populations and it is not expected this action would result in the immigration or emigration of people. Therefore, no impacts to the existing cultural uniqueness and diversity of the affected area would be expected because of the proposed project

HUMAN POPULATION		Duration of Impact			Severity of Impact					Summary of Potential Direct, Secondary, and Cumulative Impacts and Mitigation Measures
Resource		None	Short-Term	Long-Term	None	Negligible	Minor	Moderate	Major	
Access to and quality of recreational and wilderness activities		<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No significant adverse impacts to recreational and Wilderness activities would be expected because of the proposed project. No congressionally designated Wilderness areas exist in the affected area and no closure of public land would occur to accommodate capture operations. Therefore, no impacts to Wilderness activities or access to recreational pursuits in the affected area would occur. Further, capture activities would primarily occur at night when the public rarely recreates in the source area. Also, potential recreational benefits may be realized from efforts to bolster transboundary sage grouse populations, wherein sage grouse would be more available for wildlife viewing and hunting (in Montana). Therefore, no adverse impacts to Wilderness or other recreational land access would occur because of the proposed project. Any adverse impacts to the quality of recreational activities would be short-term and negligible while potential beneficial impacts would be long-term and minor.
Local and state tax base and tax revenues		<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No significant adverse impacts to the local and state tax base and tax revenues would be expected because of the proposed project. No change to the local or state tax base would be expected. However, project coordination would result in a short-term increase in the number of Alberta personnel working and temporarily residing in Valley County, Montana, which would likely increase local sales of goods and services in affected nearby communities. Therefore, any impacts to state and local tax revenues would be short-term, negligible to minor, and beneficial.
Agricultural or Industrial production		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No significant adverse impacts to agricultural or industrial production would be expected because of the proposed project. No industries would be affected by the proposed project therefore no industrial production would be displaced or otherwise impacted by the proposed project.

HUMAN POPULATION	Duration of Impact			Severity of Impact					Summary of Potential Direct, Secondary, and Cumulative Impacts and Mitigation Measures
	None	Short-Term	Long-Term	None	Negligible	Minor	Moderate	Major	
									Much of the affected area is used for cattle grazing operations; however, the proposed project would not affect cattle grazing operations in any way. Therefore, no impact to agricultural or industrial production would be expected because of the proposed project.
Human health and safety	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No significant adverse impacts to human health and safety would be expected because of the proposed project. Affected government staff necessary to conduct the project may realize increased risk to human health and safety during capture and transport activities. However, FWP would require affected staff and/or contractors to operate in a safe manner and utilize best management practices, including the use of available and appropriate safety precautions. Therefore, any impacts to human health and safety would be short-term, consistent with typical risks associated with government wildlife management activities, and negligible.
Quantity and distribution of employment	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No significant adverse impacts to the quantity and distribution of employment would be expected because of the proposed project. The proposed project would utilize existing government personnel from AEPA and FWP. Therefore, no impacts to employment are anticipated from the proposed project.
Distribution and density of population and housing	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No significant adverse impacts to the distribution and density of population and housing would be expected because of the proposed project. The proposed project would use existing government staff to accomplish the proposed capture and translocation of sage grouse and would not otherwise require or result in the movement of existing or new population into or out of the affected area. Therefore, no impacts would be expected because of the proposed project.

HUMAN POPULATION	Duration of Impact			Severity of Impact					Summary of Potential Direct, Secondary, and Cumulative Impacts and Mitigation Measures
Resource	None	Short-Term	Long-Term	None	Negligible	Minor	Moderate	Major	
Demands for government services	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No significant adverse impacts would be expected because of the proposed project. The proposed project would be staffed by existing AEPA and FWP government staff, would be conducted as a part of their typical or standard wildlife management duties, and would not require the hiring of new or use of excessive staff resources for implementation. . Therefore, any adverse impacts would be short-term and negligible to minor.
Industrial, agricultural, and commercial activity	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No significant adverse impacts would be expected because of the proposed project. No industrial activity would be impacted by the proposed project. Much of the affected area is used for commercial cattle grazing operations; however, the proposed project would not affect cattle grazing operations in any way. Therefore, no impact to agricultural or commercial activity would be expected because of the proposed project.
Locally adopted environmental plans and goals	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No significant adverse impacts would be expected because of the proposed project. The ongoing translocation of sage grouse intends to bolster Alberta sage grouse populations, which may also benefit the transboundary sage grouse population shared with Montana. Also, much of the land affected by the proposed project is owned and managed by the United States Department of the Interior's Bureau of Land Management (BLM). BLM's resource management plan (RMP) provides goals and strategies to maintain sagebrush habitats that support a sustainable sage grouse population in the source area. Through coordination with BLM, it was y determined the proposed project would not interfere with BLM's RMP and any necessary avoidance and mitigation strategies are contained in a letter of authorization from BLM to carry out the capture. Therefore, no adverse impacts to locally adopted environmental plans area anticipated while long-term,



HUMAN POPULATION	Duration of Impact			Severity of Impact					Summary of Potential Direct, Secondary, and Cumulative Impacts and Mitigation Measures
Resource	None	Short-Term	Long-Term	None	Negligible	Minor	Moderate	Major	
									minor, beneficial impacts may be realized by the proposed project.
Other appropriate social and economic circumstances	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No significant adverse impacts would be expected because of the proposed project. FWP is unaware of any other appropriate, related social and economic circumstances that may be impacted by the proposed project. Therefore, no impacts would be expected because of the proposed project.

**Table 6: Determining the Significance of Impacts on the Quality of the Human Environment**

If the EA identifies impacts associated with the proposed project FWP must determine the significance of the impacts. ARM 12.2.431. This determination forms the basis for FWP's decision as to whether it is necessary to prepare an environmental impact statement. An impact may be adverse, beneficial, or both. If none of the adverse effects of the impact are significant, an EIS is not required. An EIS is required if an impact has a significant adverse effect, even if the agency believes that the effect on balance will be beneficial. ARM 12.2.431.

According to the applicable requirements of ARM 12.2.431, FWP must consider the criteria identified in this table to determine the significance of each impact on the quality of the human environment. The significance determination is made by giving weight to these criteria in their totality. For example, impacts identified as moderate or major in severity may not be significant if the duration is short-term. However, moderate or major impacts of short-term duration may be significant if the quantity and quality of the resource is limited and/or the resource is unique or fragile. Further, moderate or major impacts to a resource may not be significant if the quantity of that resource is high or the quality of the resource is not unique or fragile.

**Criteria Used to Determine Significance**

1	<p>The <b>severity, duration, geographic extent, and frequency</b> of the occurrence of the impact</p> <p><b>"Severity"</b> describes the density of the potential impact, while <b>"extent"</b> describes the area where the impact will likely occur, e.g., a project may propagate ten noxious weeds on a surface area of 1 square foot. Here, the impact may be high in severity, but over a low extent. In contrast, if ten noxious weeds were distributed over ten acres, there may be low severity over a larger extent.</p> <p><b>"Duration"</b> describes the time period during which an impact may occur, while <b>"frequency"</b> describes how often the impact may occur, e.g., an operation that uses lights to mine at night may have frequent lighting impacts during one season (duration).</p>
2	The probability that the impact will occur if the proposed project occurs; or conversely, reasonable assurance in keeping with the potential severity of an impact that the impact will not occur
3	Growth-inducing or growth-inhibiting aspects of the impact, including the relationship or contribution of the impact to cumulative impacts
4	The quantity and quality of each environmental resource or value that would be affected, including the uniqueness and fragility of those resources and values
5	The importance to the state and to society of each environmental resource or value that would be affected
6	Any precedent that would be set as a result of an impact of the proposed project that would commit FWP to future actions with significant impacts or a decision in principle about such future actions
7	Potential conflict with local, state, or federal laws, requirements, or formal plans

## VIII. Private Property Impact Analysis (Takings)

*The 54<sup>th</sup> Montana Legislature enacted the Private Property Assessment Act, now found at § 2-10-101. The intent was to establish an orderly and consistent process by which state agencies evaluate their proposed projects under the "Takings Clauses" of the United States and Montana Constitutions. The Takings Clause of the Fifth Amendment of the United States Constitution provides: "nor shall private property be taken for public use, without just compensation." Similarly, Article II, Section 29 of the Montana Constitution provides: "Private property shall not be taken or damaged for public use without just compensation..."*

*The Private Property Assessment Act applies to proposed agency projects pertaining to land or water management or to some other environmental matter that, if adopted and enforced without due process of law and just compensation, would constitute a deprivation of private property in violation of the United States or Montana Constitutions.*

*The Montana State Attorney General's Office has developed guidelines for use by state agencies to assess the impact of a proposed agency project on private property. The assessment process includes a careful review of all issues identified in the Attorney General's guidance document (Montana Department of Justice 1997). If the use of the guidelines and checklist indicates that a proposed agency project has taking or damaging implications, the agency must prepare an impact assessment in accordance with Section 5 of the Private Property Assessment Act.*

**Table 7: Private Property Assessment (Takings)**

PRIVATE PROPERTY ASSESMENT ACT (PPAA)			
Does the Proposed Action Have Takings Implications under the PPAA?	Question #	Yes	No
Does the project pertain to land or water management or environmental regulations affecting private property or water rights?	1	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Does the action result in either a permanent or an indefinite physical occupation of private property?	2	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Does the action deprive the owner of all economically viable uses of the property?	3	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Does the action require a property owner to dedicate a portion of property or to grant an easement? (If answer is NO, skip questions 4a and 4b and continue with question 5)	4	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Is there a reasonable, specific connection between the government requirement and legitimate state interest?	4a	<input type="checkbox"/>	<input type="checkbox"/>
Is the government requirement roughly proportional to the impact of the proposed use of the property?	4b	<input type="checkbox"/>	<input type="checkbox"/>
Does the action deny a fundamental attribute of ownership?	5	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Does the action have a severe impact of the value of the property?	6	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Does the action damage the property by causing some physical disturbance with respect to the property in excess of that sustained by the public general? (If the answer is NO, skip questions 7a-7c.)	7	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Is the impact of government action direct, peculiar, and significant?	7a	<input type="checkbox"/>	<input type="checkbox"/>
Has the government action resulted in the property becoming practically inaccessible, waterlogged, or flooded?	7b	<input type="checkbox"/>	<input type="checkbox"/>
Has the government action diminished property values by more than 30% and necessitated the physical taking of adjacent property or property across a public way from the property in question?	7c	<input type="checkbox"/>	<input type="checkbox"/>
<b>Does the proposed action result in taking or damaging implications?</b>		<input type="checkbox"/>	<input checked="" type="checkbox"/>

Taking or damaging implications exist if **YES** is checked in response to Question 1 and also to any one or more of the following questions: 2, 3, 4, 6, 7a, 7b, 7c; or if **NO** is checked in response to question 4a or 4b.

If taking or damaging implications exist, the agency must comply with MCA § 2-10-105 of the PPAA, to include the preparation of a taking or damaging impact assessment. Normally, the preparation of an impact assessment will require consultation with agency legal staff.

#### **Alternatives:**

The analysis under the Private Property Assessment Act, §§ 2-10-101 through -112, MCA, indicates no impact. FWP does not plan to impose conditions that would restrict the regulated person's use of private property to constitute a taking.

## **IX. Public Participation**

*The level of analysis in an EA will vary with the complexity and seriousness of environmental issues associated with a proposed action. The level of public interest will also vary. FWP is responsible for adjusting public review to match these factors (ARM 12.2.433(1)). Because FWP determines the proposed action will result in limited environmental impact, and little public interest has been expressed, FWP determines the following public notice strategy will provide an appropriate level of public review:*

- *An EA is a public document and may be inspected upon request. Any person may obtain a copy of an EA by making a request to FWP. If the document is out-of-print, a copying charge may be levied (ARM 12.2.433(2)).*
- *Public notice will be served on the Montana Fish, Wildlife and Parks website at: <https://fwp.mt.gov/news/public-notices>*
- *Copies will be distributed to neighboring landowners to ensure their knowledge of the proposed project and opportunity for review and comment on the proposed action.*
- *FWP maintains a mailing list of persons interested in a particular action or type of action. FWP will notify all interested persons and distribute copies of the EA to those persons for review and comment (ARM 12.2.433(3)).*
- *FWP will issue public notice in the following newspaper periodical(s) on the date(s) indicated.*

<b>Newspaper / Periodical</b>	<b>Date(s) Public Notice Issued</b>
Glasgow Courier	Week of January 15

- *Public notice will announce the availability of the EA, summarize its content, and solicit public comment.*
  - ***Duration of Public Comment Period:*** *The public comment period begins on the date of publication. Written or e-mailed comments will be accepted until 5:00 p.m., MST, on the last day of public comment, as listed below:*

**Length of Public Comment Period:** 15 days

**Public Comment Period Begins:** January 8, 2024

**Public Comment Period Ends:** January 23, 2024

Comments must be addressed to the FWP contact, as listed below.

○ **Where to Mail or Email Comments on the Draft EA:**

Name: SCOTT THOMPSON

Email: [sthompson@mt.gov](mailto:sthompson@mt.gov)

Mailing Address:

Montana FWP

Attn: Sage grouse Translocation Extension EA comments

1 Airport Road

Glasgow, MT 59230

## X. Recommendation for Further Environmental Analysis

<b>NO</b> further analysis is needed for the proposed action	<input checked="" type="checkbox"/>
FWP must conduct <b>EIS</b> level review for the proposed action	<input type="checkbox"/>

## XI. EA Preparation and Review

	<b>Name</b>	<b>Title</b>
<b>EA prepared by:</b>	Scott Thompson	R6 Wildlife Manager
<b>EA reviewed by:</b>	Eric Merchant	FWP MEPA Coordinator